IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FAMILY COURT APPEAL NO. 117 OF 2004.
WITH
CIVIL APPLICATION NO. 75 OF 2004.

Anita M. Naiknaware. ..Appellant.

VERSUS.

Manik Kundalik Naiknaware. ..Respondent.

...

Mr. Gajendra Jadhav for the appellant.

Mr. Abdul Patel h/f Mr. S.C.Halli for the Respondent.

CORAM: S. B. MHASE &
R. S. MOHITE, JJ.

DATE : OCTOBER 19, 2004.

P.C.:-

1. Heard learned counsel. We have perused the judgment. This matter arises from the application which was filed for getting a civil maintenance from the respondent - husband. Even assuming for a moment that there are grounds to reside separate, we have noticed that the husband is working as a collie and he gets a payment on loading and unloading activities on the basis of tonnage, as against that, wife is getting an income of Rs.600/- p.m. as a maidservant. The husband is having three children from the second wife. This application has been filed after a period of 10 years. It appears that

this application is for harassment and the view which was taken by the trial court is absolutely possible view. We do not find any substance so as to admit this appeal.

Therefore, it is hereby rejected.

2. In view of the disposal of the appeal, civil application does not survive and it is accordingly disposed of.

(R.S.MOHITE,J.) **(S.B.MHASE,J.)**